

Settled 6/12/08

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Judy M. Waldman as Trustee for the Claire Waldman  
Trust, Individually  
And On Behalf of All Others Similarly Situated,

Plaintiff,

v.

Wachovia Corporation and Wachovia Securities, LLC,

Defendants.

Case No. 1:08-CV-2913-SAS

**STIPULATION AND ORDER  
APPOINTING THE MAXWELL  
GROUP AS LEAD PLAINTIFF AND  
APPROVING THE MAXWELL  
GROUP'S SELECTION OF  
COUNSEL**

WHEREAS on March 19, 2008, Plaintiff Judy Waldman, as trustee for the Claire Waldman Trust, filed the action styled *Judy M. Waldman as Trustee for the Claire Waldman Trust, Individually And On Behalf of All Others Similarly Situated v. Wachovia Corporation and Wachovia Securities, LLC*, No. 08-CV-2913-SAS;

WHEREAS on May 19, 2008, Class members Arthur Maxwell, Curlin Inc., Ralph Ohlers and Jackie Ohlers (collectively, "the Maxwell Group") moved this Court for entry of an order appointing them Lead Plaintiff pursuant to the Private Securities Litigation Reform Act of 1995 (the "PSLRA") and approving their selection of Girard Gibbs LLP to serve as Lead Counsel, Stueve Siegel Hanson LLP to serve as Co-Lead Counsel, and Seeger Weiss LLP to serve as Liaison Counsel for the Class. In its papers, the Maxwell Group claims a financial interest of \$14,975,000 in this litigation;

WHEREAS on May 19, 2008, Class member Gustavo Spoliansky moved this Court for entry of an order appointing him Lead Plaintiff and approving his selection of the law firms of Lowey Dannenberg Cohen & Hart, P.C. and Schubert Jonckheer Kolbe & Kralowec LLP as Co-Lead Counsel for the Class. In his papers, Mr. Spoliansky claims a financial interest of \$3,025,000 in this litigation;

WHEREAS Mr. Spoliansky and his counsel acknowledge that, among the movants for Lead Plaintiff, the Maxwell Group has the largest financial interest in this litigation and should therefore be appointed Lead Plaintiff pursuant to the PSLRA, subject to this Court's approval;

WHEREAS Mr. Spoliansky and his counsel also acknowledge that, pursuant to the PSLRA, the Maxwell Group's selection of counsel should be appointed Lead, Co-Lead and Liaison Counsel for the Class, subject to this Court's approval;

WHEREAS Defendants Wachovia Corporation and Wachovia Securities, LLC take no position with regard to any of the foregoing;

WHEREAS this stipulation is submitted with the understanding that appointment of Lead Plaintiff and selection of Lead Plaintiffs' Counsel is subject to the Court's approval, and this stipulation is expressly conditioned thereon;

**THEREFORE IT IS HEREBY STIPULATED AND AGREED** by the parties, by and through their undersigned counsel, that:

1. The Motion of Arthur Maxwell, Curlin Inc., Ralph Ohlers and Jackie Ohlers for Appointment as Lead Plaintiff and Approval of Selection Of Counsel is **GRANTED**.

2. Class members Arthur Maxwell, Curlin Inc., Ralph Ohlers and Jackie Ohlers are hereby **APPOINTED** to serve as Lead Plaintiff in this action, pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 ("Exchange Act"), 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995.

3. The law firm of Girard Gibbs LLP is hereby **APPOINTED** to serve as Lead Counsel for the Class, pursuant to Section 21D(a)(3)(B) of the Exchange Act, 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995, in the above-captioned action.

4. The law firm of Stueve Siegel Hanson LLP is hereby **APPOINTED** to serve as Co-Lead Counsel for the Class, pursuant to Section 21D(a)(3)(B) of the Exchange Act, 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995, in the above-captioned action.

5. The law firm of Seeger Weiss LPP is hereby **APPOINTED** to serve as Liaison Counsel for the Class, pursuant to Section 21D(a)(3)(B) of the Exchange Act, 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995, in the above-captioned action.

**IT IS SO STIPULATED.**

Dated: June 11, 2008

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*Counsel for the Maxwell Group*

Dated: June 11, 2008

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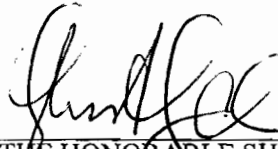
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*Counsel for Gustavo Spoliansky*

**SO ORDERED.**

DATED: June 12, 2008

  
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THE HONORABLE SHIRA A. SCHEINDLIN  
UNITED STATES DISTRICT JUDGE